THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.24591 of 2006

Date: 08.03.2007

Between:

A.V.Subbarayudu.

....Petitioner

And

Government of A.P., Department of Panchayat Raj, Rep. By its Panchayat Secretary, Kovur Gram panchayat, Gram Sachivalayam, Kovur, Nellore District and another.

....Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.24591 of 2006

O R D E R:

The petitioner purchased the property bearing Door No.2-2-42 at Janagam Street of Kovur Village, Nellore District, through document, dated 06.09.2005. There is an electric pole abutting the said property. The petitioner made representations to the second respondent, to shift the pole by two feet, away from his house. His grievance is that the request has not been acceded to, on an objection raised by the Gram Panchayat. He seeks appropriate directions, in this regard.

Heard the learned counsel for the petitioner, the learned Government Pleader for Panchayat Raj and the learned Standing Counsel for the second respondent.

Even from the material placed by the petitioner before this Court, it is evident that the electric pole existed at a road junction, much before the house was

constructed. If the petitioner or his vendor has constructed the house in a close proximity to the electric pole, it is for them to suffer or face the disadvantage. The respondents cannot be required to shift the pole, just to suit the convenience of the petitioner. The reason is that it is a line, which serves the needs of the residents of the locality. Shifting of one pole would require dismantling of the entire line, which, in turn, would lead to huge expenditure. Further, the alternative location is also not certain.

Under these circumstances, this Court cannot give any relief to the petitioner, at this stage. However, in case, the second respondent undertakes re-construction of the line in the locality, the grievance of the petitioner shall be attended to.

The Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

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08.03.2007

JSU